

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) S2-4:09CR0509 JCH/TCM
)
)
RANDALL SUTTON, SHARON)
NEKOL PROVINCE, JAMES)
DOUGLAS CASSITY, BRENT)
DOUGLAS CASSITY, HOWARD A.)
WITTNER, and DAVID R. WULF,)
)
Defendants.)

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

In accordance with the Memorandum filed herein,

IT IS HEREBY RECOMMENDED that Defendants' motion to sever Counts 49 and 50 of the second superseding indictment be **DENIED**. [Doc. 258]

IT IS FURTHER RECOMMENDED that Defendants' motions to sever counts and defendants each be **DENIED**. [Docs. 262, 271]

The parties are advised that they have **fourteen (14)** days in which to file written objections to this Recommendation and the Memorandum incorporated herein pursuant to 28 U.S.C. § 636(b)(1), unless an extension of time for good cause is obtained, and that failure to file timely objections may result in waiver of the right to appeal questions of fact.

/s/Thomas C. Mummert, III

THOMAS C. MUMMERT, III
UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of January 2012.